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Date: July 15, 2004

To: MAIL STOP AF
Examiner Stacy Brown Chen
US Patent and Trademark Office
Fax: 703-872-9306

Subject: USSN: 09/914,658
Our Ref.: 100725-24/ Krcisler 1098-KGB

From: Theodore A. Gottlieb

Comments: Filing of: response to Office Action dated January 15, 2004, including Notice of Appeal (2 pgs.); and Petition for Three Months Extension of Time (1 pg.)

If you have any questions or need further information, please contact us.

You should receive 4 pages including this cover sheet.

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Atty's Docket: Belersdorf 617
USS 09/641,409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	:	09/914,658
APPLICANT	:	GERD HOBOM et al.
FILED	:	FEBRUARY 15, 2002
EXAMINER	:	Stacy Brown Chen
ART UNIT	:	1648
FOR	:	STABLE RECOMBINANT INFLUENZA VIRUSES FREE OF HELPER VIRUSES

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 15, 2004

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 15, 2004, the Supervisory Examiner finally rejecting claims 1-22, 24-26 and 28-30, in this application.

The period for response to the final rejection was set to expire on April 15, 2004. Such period has been extended THREE months as indicated in the Petition for Extension of Time filed herewith.

Charge the appeal fee of (check one):

☒ \$330.00
☐ \$165.00

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to Deposit Account No. 14-1263.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

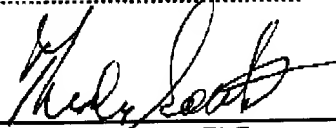
If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

Respectfully Submitted,

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Theodore Gottlieb, PhD
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Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9307 on July 15, 2004
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